

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 30, 1960
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REV. J. W. MORGAN, University Methodist Church.

Councilman White moved that the Minutes of the meeting of June 23, 1960, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MRS. J. H. BEASLEY presented a Certificate of Appreciation from the AUSTIN COUNCIL FOR RETARDED CHILDREN, for its help in providing opportunities for rehabilitation and achievement for mentally retarded children.

MR. L. E. BELDING asked that the Council grant permission to use the same area on South 1st Street as they did last year for the soap-box derby races on July 24. Their first choice was the use of Exposition Boulevard from Lake Austin Boulevard north to the top of the hill, if the grade is checked out. Councilman Bechtol moved that the permission be granted to use South 1st Street and/or Exposition Boulevard on July 24th, details to be worked out with the Chief of Police. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MR. EMMETT SHELTON representing GEORGE NALLE, JR., on the paving on Scenic Drive, asked that the Council pass the ordinance on this paving through its final reading. Discussion of the payment of the paving costs was held. Mr. Shelton explained the urgency of getting the ordinance passed as the matter would be indirectly connected with another case he had in a district court. The Council took no action at this time as it wanted to discuss the matter with the City Attorney.

MR. ROY SEEKATZ asked permission to move his building, now located on property owned by the Magnolia Oil Company on Koenig Lane and Lamar Boulevard, to the City-owned property at the rear of this location, until he could find a permanent site for this little building. The Director of Public Works reported three divisions and sometimes the fourth used the Koenig Lane Yard, and this area would be needed for parking. Mr. Seekatz asked to use this land until October. In view of the report from the Director of Public Works, the Council did not take any action granting Mr. Seekatz the use of the area. Mr. Seekatz asked the Council to go with him to inspect this area again. Councilman White stated he and the Director of Public Works would take another look at the site.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That, W. T. Williams, Jr., City Manager be and he is hereby authorized to execute a quitclaim deed on behalf of the City of Austin conveying all of its right, title and interest in and to the following described tract of land, SAVE and EXCEPT however for an easement retained therein for sanitary sewer purposes which is to be specifically reserved, said property to be quitclaimed to Humble Oil & Refining Company in exchange for a like amount of right-of-way for the widening of Bull Creek Road; the tract to be conveyed is more particularly described as follows, to-wit:

Being .033 of one acre of land which was vacated and closed for street purposes by Ordinance recorded in Volume 2165, page 59-62 of the Deed Records of Travis County, Texas, same being a portion of that certain street in the City of Austin, Travis County, Texas known as Bull Creek Road as shown on a map or plat of McCarty Triangle, a subdivision of record in Book 9 at page 139 of the Plat Records of Travis County, Texas and which 0.033 of one acre of land is more particularly described by metes and bounds as follows:

BEGINNING at a point in the west line of that certain tract of land conveyed to the Humble Oil and Refining Company by Warranty deed dated May 10, 1957 of record in Volume 1821 at page 24 of the Deed Records of Travis County, Texas, same being a point in the proposed curving east line of Bull Creek Road and from which point of beginning the most westerly corner of the said Humble Oil and Refining Company tract of land as described in the aforesaid deed of record in Volume 1821 at page 24 of the Deed Records of Travis County, Texas bears N 5° 59' W 167.34 feet;

THENCE, with the present east line of Bull Creek Road same being the west line of the Humble Oil and Refining Company tract S 5° 59' E 130.07 feet to an iron pin at the most southerly corner of the said Humble Oil and Refining Company tract of land same being at the point of curvature of a curve whose angle of intersection is 141° 16' 30" whose tangent distance is 44.88 feet and whose radius is 15.76 feet;

THENCE, with said curve to the right an arc distance of 38.86 feet the long chord of which arc bears N 61° 03' W 29.74 feet to a point in the proposed curving east line of Bull Creek Road, said curve having an angle of intersection of 38° 24', a radius of 981.36 feet and a tangent distance of 341.75 feet;

THENCE, with said curve to the left a sub-arc distance of 115.61 feet the chord of which sub-arc bears N 6° 12' E 115.55 feet to the point of beginning.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NASH PHILLIPS-COPUS; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY. (Windsor Park 3, Section 4)

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NASH PHILLIPS-COPUS; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY. (Windsor Park 2, Section 5)

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"June 29, 1960

"Mr. W. T. Williams, Jr.
 City Manager
 Austin, Texas

"Dear Mr. Williams:

"Bids were received until 2:00 P.M., Tuesday, June 28, 1960, at the Office of the Director of the Water and Sewer Department, Municipal Building, Austin, Texas, for the installation of the McKinley Heights Area and Airport Terminal Building Sanitary Sewers, then publicly opened and read in the second floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Glade Construction Company	\$35,497.09	100
Karl Wagner, Incorporated	38,198.33	120
Bland Construction Company	43,785.80	90
J. R. Barnes Engineering Company	46,185.70	120
Fairey-Simons, Incorporated	46,425.98	130

Austin Engineering Company	\$52,450.66	120
Walter W. Schmidt	58,203.46	120

"It is recommended that the contract be awarded to the Glade Construction Company on their low bid of \$36,497.09, with 100 working days.

"Yours truly,
 (Sgd) S. A. Garza, Superintendent
 Sanitary Sewer Division
 (Sgd) Albert R. Davis by SAG
 Director Water and Sewer Department
 Approved: W. T. Williams, Jr.
 City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 28, 1960, for the installation of the McKinley Heights Area and Airport Terminal Building sanitary sewers; and,

WHEREAS, the bid of Glade Construction Company in the sum of \$36,497.09 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Glade Construction Company in the sum of \$36,497.09 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Glade Construction Company.

The motion, seconded by Councilman Palmer, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The City Manager submitted the following:

"June 28, 1960

"W. T. Williams, Jr., City Manager Assessment Paving Contract No. 60-A-15

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, June 28, 1960 for the construction of approximately forty-two blocks of pavement and accessories known as Assessment Paving Contract Number 60-A-15, consisting of 20 units.

"J. H. "Bud" Chastain & Sons	\$ 84,254.95
Lee Maners	84,875.74
McKown & Sons	89,373.55
Giesen & Latson Construction Co.	106,118.61
Collins Construction Co. of Texas	111,707.36
"City's Estimate	\$ 95,887.03

"I recommend that J. H. "Bud" Chastain & Sons with their low bid of \$84,254.95 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 28, 1960, for the construction of approximately forty-two blocks of pavement and accessories, known as Assessment Paving Contract Number 60-A-15, consisting of 20 units; and,

WHEREAS, the bid of J. H. "Bud" Chastain & Sons in the sum of \$84,254.95 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of J. H. "Bud" Chastain & Sons in the sum of \$84,254.95 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with J. H. "Bud" Chastain & Sons.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M.
June 21, 1960
Tabulated by: O.G.Brush Purchasing Agent

"CITY OF AUSTIN BIDS FOR TRUCKS & CHASSIS

BID NO.	MANUFACTURER DESCRIPTION	DEPARTMENT	QUAN.	International McCormick Farm Store	Chevrolet Capitol Chevrolet
8629	½ ton Pick-up per City Specs. No trade-in	Power Plant	1 ea.	<u>\$1,731.85</u>	\$1,774.00
8630	½ ton pick-up per City Specs. No trade-in	Power Plant	1 ea.	<u>1,549.84</u>	1,559.95
8631	½ ton pick-up per City Specs. No trade-in	Electric Distribution	1 ea.	1,530.84	1,548.00

8632	3/4 ton pick-up per City Specs. Includes 2 trade-ins	Electric Distribution	3 ea.	<u>\$4,933.99</u>	\$5,083.00
8633	1 ton conv. type truck Includes 2 trade-ins	Water Dist.	2 ea.	3,598.10	<u>3,576.00</u>
8634	3/4 ton cab & chassis No trade-in	Electric Distribution	1 ea.	<u>1,661.00</u>	1,697.00
8635	1 ton cab and chassis Includes trade-in	Electric Distribution	1 ea.	1,612.34	<u>1,571.00</u>

"Invitation to bid also sent to Armstrong-Johnson for Ford and Dependable Motors for Dodge, who did not submit a bid.

"Recommendation: Recommend low bid on each separate price inquiry.

"W. T. Williams, Jr. City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 21, 1960, for the furnishing of various trucks and chassis for use by various departments of the City of Austin; and,

WHEREAS, the bids of McCormick Farm Store, in the sum of \$1,731.85 for 1/2 ton pickup, in the sum of \$1,549.84 for one 1/2 ton pickup, in the sum of \$1,530.84 for one 1/2 ton pickup, in the sum of \$4,933.99 and two trade-ins for three 3/4 ton pickups, and in the sum of \$1,661.00 for one 3/4 ton cab and chassis, were the lowest and best bids therefor; and,

WHEREAS, the bids of Capitol Chevrolet, Inc., in the sum of \$3,576.00 and two trade-ins for two 1 ton conventional type trucks, and in the sum of \$1,571.00 and trade-in for one 1 ton cab and chassis, were the lowest and best bids therefor; and,

WHEREAS, the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bids of McCormick Farm Store, in the sum of \$1,731.85 for one 1/2 ton pickup, in the sum of \$1,549.84 for one 1/2 ton pickup, in the sum of \$1,530.84 for one 1/2 ton pickup, in the sum of \$4,933.99 and two trade-ins for three 3/4 ton pickups and in the sum of \$1,661.00 for one 3/4 ton cab and chassis, and the bids of Capitol Chevrolet, Inc. in the sum of \$3,576.00 and two trade-ins for two 1 ton conventional type truck and in the sum of \$1,571.00 and trade-in for one 1 ton cab and chassis, be and the same are hereby accepted,

and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute contracts on behalf of the City of Austin with said companies.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON ONE TRACT OF LAND FRONTING APPROXIMATELY 261 FEET ON THE WEST RIGHT-OF-WAY LINE OF MANOR ROAD, LOCALLY KNOWN AS 5602 -5610 MANOR ROAD IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON ONE TRACT OF LAND FRONTING 165 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF WHEELLESS LANE, LOCALLY KNOWN AS 1915-2005 WHEELLESS LANE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A

COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL ON A PART OF LOT NO. 2, BLOCK "V" OF RIDGETOP FOURTH ADDITION, FRONTING 50 FEET ON THE WEST RIGHT OF WAY LINE OF EAST AVENUE, LOCALLY KNOWN AS 4814 EAST AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, CALLING AN ELECTION FOR THE AUTHORIZATION OF BONDS OF THE CITY OF AUSTIN IN THE FOLLOWING AMOUNTS AND FOR THE FOLLOWING PURPOSES: (1) \$28,000,000.00 REVENUE BONDS FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY'S ELECTRIC LIGHT AND POWER SYSTEM; (2) \$12,550,000.00 REVENUE BONDS FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY'S WATERWORKS SYSTEM; (3) \$9,450,000.00 REVENUE BONDS FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY'S SEWER SYSTEM; (4) \$500,000.00 GENERAL OBLIGATION BONDS FOR CONSTRUCTING AND IMPROVING MUNICIPAL AIRPORT FACILITIES AND ACQUIRING LANDS AND EQUIPMENT THEREFOR; (5) \$150,000.00 GENERAL OBLIGATION BONDS FOR CONSTRUCTING AND IMPROVING FIRE STATIONS AND ACQUIRING LANDS AND EQUIPMENT THEREFOR; (6) \$350,000.00 GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ENLARGING AND EQUIPPING THE PUBLIC FREE LIBRARY SYSTEM OF THE CITY AND ACQUIRING NECESSARY LANDS FOR EXPANSION THEREOF; (7) \$450,000.00 GENERAL OBLIGATION BONDS FOR THE

PURPOSE OF CONSTRUCTING AND IMPROVING PUBLIC PARKS AND PUBLIC PLAYGROUNDS OF THE CITY OF AUSTIN, AND FOR CONSTRUCTING, IMPROVING AND REPAIRING BUILDINGS AND OTHER RECREATION FACILITIES OF SAID PARKS AND PLAYGROUNDS, AND FOR ACQUIRING NECESSARY LANDS AND EQUIPMENT THEREFOR; AND (8) \$3,550,000.00 GENERAL OBLIGATION BONDS FOR THE PURPOSE OF CONSTRUCTING AND IMPROVING STREETS, BRIDGES AND DRAINAGEWAYS OF THE CITY OF AUSTIN, AND FOR ACQUIRING NECESSARY LANDS THEREFOR; ENACTING PROVISIONS INCIDENT AND RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

The ordinance was read the second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Gulfmont Hotel Company is the Contractor for the alteration of the building located at 810-812 Brazos Street and desires a portion of the sidewalk and street space abutting Lots 9, 10, 11 and 12, Block 97 of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Gulfmont Hotel Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence, in an easterly direction and at right angles to the center line of Brazos street to a point 12 feet east of the west curb line of Brazos street; thence, in a northerly direction and parallel with the center line of Brazos Street, 60 feet to a point; thence, in a westerly direction and at right angles to the center line of Brazos Street to the east line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Gulfmont Hotel Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least four feet high and substantially

braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than August 10, 1960.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the Construction work for said buildings projects whether done By the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$2,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Bechtol, Perry, White, Mayor Miller
 Noes: None
 Present but not voting: Councilman Palmer

The City Manager submitted the request of NATIONAL CAR RENTALS for the same space at the Airport that they previously occupied. After discussion, Councilman White moved that the City Manager be authorized to enter into a contract with NATIONAL CAR RENTALS as presented. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, in the course of the acquisition of right-of-way for the widening of East Avenue, the City of Austin acquired right-of-way by those two certain deeds recorded in Volume 928, page 531 and Volume 914, page 340 of the Deed Records of Travis County, Texas; and,

WHEREAS, it was intended that the City of Austin acquire title to the West 19.68 feet of Lots 1, 2 and 3 in Block 1 of University Park, a subdivision of Outlot 29, Division "C" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to the map or plat of University Park as recorded in Plat Book 3, page 125 of the Plat Records of Travis County, Texas; and,

WHEREAS, the field notes in the aforementioned two deeds, respectively call for the West 19.68 feet of Lot 1 and the South 1/2 of Lot 2 and the West 19.68 feet of Lot 3 and the North 1/2 of Lot 2; and,

WHEREAS, such description has been objected to by a prospective purchaser of the aforementioned three lots on the ground that it could be construed to describe the West 19.68 feet of Lots 1 and 3 and all of Lot 2 instead of describing a 19.68 foot strip off of the West side of Lots 1, 2 and 3 as was intended by all parties to the aforementioned two deeds; Now, Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a quitclaim deed or deeds to the present owners of the aforementioned three lots which quitclaim deed or deeds will be effective to quitclaim any interest which the City might own in the aforementioned three lots SAVE and EXCEPT however any easements which the City might presently own by deed or prescription.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council agreed to meet with the Hospital Board and Administrator Thursday, July 7th, at 2:00 P.M. to discuss the Steinle report.

Councilman Bechtol moved that the City Manager be authorized to contact the County Officials; and if they will put up \$3,000 for a Civil Defense Director, the City will be able to provide that much in its budget. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager presented a suggestion from the Planning Director for a special meeting to hear a special zoning case on East 19th Street adjoining the Holy Cross Hospital. The Planning Director stated this was a large tract, and that a state agency wanted to have a part of the tract zoned, and contracted before their fiscal year ended. It was possible that the hearing, as regularly scheduled, would permit sufficient time, and the Planning Director stated he would make a further check.

The City Manager reported that the contractor had cleaned the Stroburg tract of land on the river, and was ready to move his equipment to the other side of the lake unless the work on cutting the channel were ready for him to begin. The City Manager gave the location as to where the channel would go, pointing it out on the map, and stating the amount of the slope. Councilman Bechtol moved TRAVIS MATERIALS be permitted to excavate a channel from the Stroburg tract to the lake, not to exceed 100 feet in width at the 430' level, and to be located by the City Manager. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council held up considering a location of this sand and gravel plant when it is moved to the other side of the lake.

The Council had a request from the Corporation Judge for appointment of a special judge to preside during his absence while on vacation. The City

Attorney was asked to contact MR. BOB HOWELL to see if he would be available to serve from July 18th through July 29th.

The City Attorney stated that inquiries were being received concerning land which the City purchased for right-of-way on the Interregional Highway between 49th and 50th Streets on the west side. He reviewed previous requests and appraisals, and the action of the Council to hold the land until after the highway was improved. He also reviewed the three recent inquiries and offer. After much discussion, Councilman Perry suggested that the one making the offer be advised that the Council was not reluctant to selling the property now, but was not willing to sell at the price he had offered. Other members agreed.

The City Attorney explained a situation about three sewer line easements in Bluffington which the City needed to acquire, and stated that three property owners were willing to give the easements under certain circumstances. Due to the unusual terrain, the costs to connect their properties to the line would be from \$1200 to \$1800, as there would be as much as 400' between the houses if the vertical and horizontal distances were taken. These three property owners, who have adequate facilities, will give the easements, but state if they are required within the next 10 years to connect to the line, that they would want the City to pay one-half of the cost. If their system breaks down in the meantime, they would connect at their own expense. Councilman Bechtol moved that the City Manager be authorized to execute a letter to that effect. The motion, seconded by Councilman White, carried by the following vote: *A.S. White*

Ayes: Councilmen Bechtol, Perry, White, Mayor Miller
 Noes: None
 Present but not voting: Councilman Palmer

Councilman Bechtol moved that MR. PHIL BIBLE, Chief Architect of the State Building Commission; MR. DOYLE BALDRIDGE, local Architect with Baldrige and Saunders; and MR. FRED BARKLEY, Austin National Bank, be appointed as members on the Planning Commission for a two year term expiring June 1, 1962, to replace the ones whose terms had expired and who had tendered resignations, and that MR. MARVIN BRASWELL, MR. HUGO KUEHNE, and MR. DOAK RAINEY be thanked for their years of service on the Planning Commission. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin is constructing a dam and bridge across the Colorado River at Pleasant Valley Road to impound water for the protection of public health, sanitation, city improvement and police protection in and along the Colorado River within the corporate limits of said City, and for the general welfare; and,

WHEREAS, the City of Austin owns certain property including all the sand

and gravel contained in the River, and the bed, banks and certain islands in the Colorado River, within the City Limits of Austin; and,

WHEREAS, it is the desire by the City to create a river channel having a minimum width of 500 feet and a depth of 17 feet or, in the alternative, 8500 square feet of channel flow, which will require the removal and disposition of large quantities of mud, earth, sand gravel and obstructions of various kinds and types; and,

WHEREAS, the City Council finds that orderly and uniform removal of rock, sand and gravel from the bed and bottom of the Colorado River will deepen the channel of the river bed and aid the free flow of the stream by lessening the collection of debris or other obstructions to the flow of the river and the improvement of the shoreline there along, and that it constitutes a public use and purpose and benefit to the City and its inhabitants; and,

WHEREAS, Capitol Aggregates, Inc., has proposed to the City to conduct excavation work in the bed and bottom of the Colorado River within the City Limits of the City of Austin and the removal of rock, sand and gravel therefrom in an orderly and uniform manner to the end that the channel of the river will be deepened and the free flow of the stream more uniformly maintained without cost to the City; and,

WHEREAS, Capitol Aggregates owned a leasehold estate in a 56-acre tract of land acquired by the City from Mrs. W. D. Hart, a widow, and J. H. Hart; and as a part of the consideration for the lease to be granted by the City Capitol Aggregates has agreed to relinquish all claims which it might have against the City by virtue of the City's inundation of a large portion of the 56-acre tract of land leased by Capitol Aggregates from Mrs. W. D. Hart and J. H. Hart, and a 5-acre tract owned in fee by Capitol Aggregates; and,

WHEREAS, the City Council has determined that the acceptance of the proposal would be the most economical and desirable means by which it can acquire the right to inundate Capitol Aggregates' 5-acre tract and its leasehold estate in the said 56-acre tract, and at the same time, economically provide for the deepening of the City's new town lake by orderly and uniform excavation in the bed and bottom of the Colorado River and the removal of rock, sand and gravel therefrom without waste and at no cost to the City; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager be and he is hereby authorized to execute an agreement and lease contract on behalf of the City of Austin with Capitol Aggregates, Inc., a Texas Corporation, upon the premises, for the consideration, upon the conditions, and for the purposes indicated in the instrument attached hereto which the City Clerk shall not be required to record at length upon the minutes of the Council.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor commemorated MRS. WALTER P. WEBB, who had been very active in doing good for the City, and took notice of her death. The Council rose in her memory and honor, and the City Attorney was asked to express to her family a message of sympathy. It was also requested that a page be set aside in the Minute Book.

R E S O L U T I O N

WHEREAS, during her lifetime, Mrs. Walter P. Webb contributed greatly to the civic and educational welfare of this community; and,

WHEREAS, Mrs. Walter P. Webb has, both in aiding her husband and in her own right, effectively worked for the improvement of our State University; and,

WHEREAS, with the recent passing of Mrs. Walter P. Webb, the City of Austin has lost one of its most respected and beloved citizens; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the people of Austin, speaking through their City Council, express their deepest sympathy to the family of Mrs. Walter P. Webb for their great loss which is shared by the entire community.

There being no further business, the Council adjourned at 12:30 P.M.,
subject to the call of the Mayor.

APPROVED _____

Mayor

ATTEST:

Elis Hensley
City Clerk